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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,292	08/27/2003	Norio Umemura	26C-023	4461

23400 7590 12/29/2004

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EXAMINER

LUONG, VINH

ART UNIT	PAPER NUMBER
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3682

DATE MAILED: 12/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/648,292

Applicant(s)

UMEMURA ET AL.

Examiner

Vinh T Luong

Art Unit

3682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 August 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:

1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


Vinh T. Luong
Primary Examiner

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/27/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: Attachment.

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because of the implied phrase "the present invention" and the legal phraseology "means." Correction is required. See MPEP § 608.01(b).
3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term such as "deformable" is vague and indefinite in the sense that things which may be done are not required to be done, *e.g.*, in claim 1, the front spoke cores are twist-deformable, but is not required structurally to be twist-deformed. See "crimpable" and "discardable" in *Mathis v. Hydro Air Industries*, 1 USPQ2d 1513, 1527 (D.C. Calif. 1986); "removable" in *In re Burke Inc.*, 22 USPQ2d 1368, 1372 (D.C. Calif. 1992) and "comparable" in *Ex parte Anderson*, 21 USPQ2d 1241, 1249 (Bd. Pat. App. & Inter. 1992).

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 3682

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-4, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Isomura et al. (US Patent No. 6,079,737).

Regarding claim 1, Isomura teaches a steering wheel comprising a steering wheel body 1 and a switch operation portion (above the horn switch mechanism 30 in Fig. 3. See Attachment and col. 11, line 1 through col. 18, line 7, and claims 1-9); the steering wheel body 1 comprises a steering wheel core including a ring core 103 of a ring portion R, a boss core 104 of a boss portion B, and a plurality of spoke cores 105 and 112 of spokes S (Fig. 4), the ring portion R being held in steering, the boss portion B being located in the center of the ring portion R, the spokes S connecting the ring portion R and the boss portion B (Fig. 1); upon self-alignment of the steering wheel, the steering wheel body 1 has the ring plane (Figs. 19 and 20) thereof displaced toward the vertical plane by means of plastic deformation of the steering wheel core; the switch operation portion (Att.) is disposed in at least one of two spokes Sf (Fig. 1) located in the front side, the two front spokes Sf neighboring a front space inside the ring portion R and being arranged generally symmetrically relative to the boss portion B; and the cores 105 of the front spokes Sf comprise deformable portions 116 (Fig. 19), respectively, at positions generally symmetric relative to the boss portion B and toward the boss portion B relative to the switch operation portion (Att.), whereby the front spoke cores 105 are twist-deformable upon self-alignment. See col. 18, line 8 through col. 22, line 17.

Regarding claim 2, each of the front spoke cores Sf further comprises, at a position toward the ring portion R relative to the deformable portion 116, a second deformable portion 117 which is twist-deformable upon self-alignment.

Art Unit: 3682

Regarding claim 3, the switch operation portion (Att.) is screw-fixed to the front spoke core Sf at only one position. See a screw fastener 16b, 16c, 39 shown in Fig. 3 and col. 10, lines 5-12.

Regarding claim 4, Isomura's steering wheel comprises a pad 9, 9a (Fig. 3) above the boss portion B, wherein the pad 9, 9a is joined to a core 112 (Fig. 4) of a rear spoke Sb and held there at, the rear spoke Sb being located rearward of the front spokes Sf (Fig. 1); and the rear spoke core Sb comprises a plastically deformable portion 110 (Fig. 10. Id., col. 18, lines 55-67) at a position forward of the joint with the pad 9, 9a, the deformable portion 110 being plastically deformable upon self-alignment.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Kiyoshi (deformed portion 8), Suzuki (spoke deformation region 24), Sonobe et al. (deformation portions 32 and 33c), Kerner et al. (deformation portion 32), and Umemura et al. (deformation portion 11).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vinh T. Luong whose telephone number is 703-308-3221. The examiner can normally be reached on Tuesday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bucci can be reached on 703-308-3668. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Luong

December 23, 2004



Vinh T. Luong
Primary Examiner

ATTACHMENT

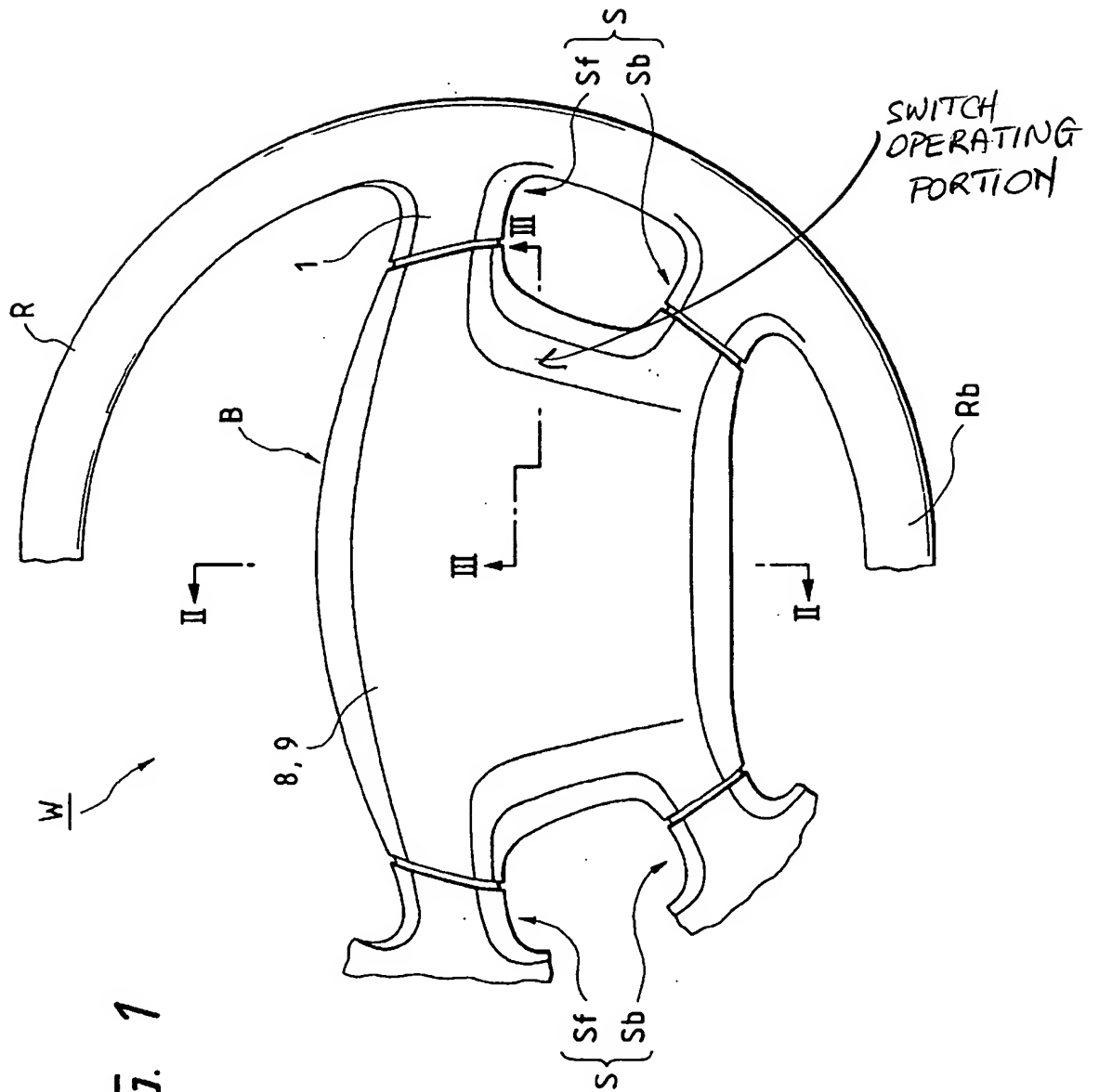


FIG. 1

FIG. 3

